United Nations A/ES-10/462–S/2009/494

General Assembly
Security Council

Distr.: General
29 September 2009

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 28 September 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

As we begin the sixty-fourth session of the General Assembly, we are reminded once again of the importance of this organization as the upholder and defender of international law in all circumstances and for all peoples. Yet even as the declarations spoken by world leaders before the General Assembly continue to resonate around the globe, the renewed sense of hope, prompted by their pledges to uphold the law and the purposes and principles of the United Nations, including by pursuit of the long overdue just and peaceful settlement of the question of Palestine, is being vehemently tested by the unchecked aggression and intransigence of Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem.

We write to you today with urgency to draw attention to the hostile and aggressive actions perpetrated on Sunday, 27 September, in Occupied East Jerusalem at the sacred compound of Al-Haram Al-Sharif. The Israeli occupying forces attacked Palestinian worshippers at Al-Haram Al-Sharif after midday prayers as they attempted to fend off over 150 Israeli extremists from breaking into the Holy Compound under the watch and guard of the occupying forces. Tear gas, rubber-coated steel bullets and batons were used in the Israeli attack against the Palestinian worshippers, which resulted in the injury of at least 40 civilians and the arrest of 5 others. Among the injured were 73-year-old Mohamad Al-Julani, who was shot by a rubber-coated steel bullet in the eye, 20-year-old Rami Al-Fakhourin, who was also shot in the eye by a rubber-coated steel bullet, and 31-year-old Adel Al-Alsilwadi, who was shot by a rubber-coated steel bullet in the chest.

Following the attack at Al-Haram Al-Sharif, the occupying Power deployed large military and police contingents throughout Occupied East Jerusalem and imposed the regrettably familiar punitive measures of collective punishment by closing off the Holy Compound.

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The clashes that ensued following the confrontation were painfully reminiscent of previous provocations, sanctioned by successive Israeli governments, that resulted in dangerous escalations on the ground in the Occupied Palestinian Territory. In this regard, it is imperative to recall that the provocative act perpetrated by Ariel Sharon, under the guard of hundreds of occupying forces, at Al-Haram Al-Sharif nine years ago to this day, on 28 September 2000, was the act that ignited the high tensions prevailing and led to the outbreak of the second Palestinian intifada (uprising) against the Israeli occupation.

Moreover, it cannot be overlooked that such provocations are constantly fuelled by the continuing incitement of Israeli officials who promote and support Israeli settlers and extremists whose actions fuel religious tensions, hostility and needless violence. Stark examples of such malicious, racist and aggressive incitement are the statements made by Arieh Eldad and Michael Ben Ari, two radical members of the Israeli Knesset, who criticized the Israeli occupation authorities for not cracking down hard enough on Palestinian worshippers. In the same vein, Uri Ariel, another radical Israeli parliamentarian, declared that the Israeli forces should do more to allow right-wing Israeli zealots into Al-Haram Al-Sharif.

As we alert the international community to the escalating tensions and instability on the ground, we must reiterate that the events of the past 24 hours are not the result of chance. Rather, they are the outcome of predetermined and wilful Israeli efforts, with official support, complicity and participation, to dodge commitments made in the peace process and thus continue to avert the resumption of this process towards the realization of its objectives, on which there is a firm international consensus. Undeniably, a clear trend exists of actions undertaken by successive Israeli governments to sabotage peace efforts, particularly when the international calls and the international will to end the occupation and achieve a just and lasting peace in the region are intense, as they are in the current period.

In this regard, it should be recalled that in 1996, Benjamin Netanyahu, Prime Minister at the time, provoked and fuelled a needless episode of violence and bloodshed by permitting the clandestine digging of a tunnel under Al-Haram Al-Sharif by Jewish extremists who publicly declare their goal of demolishing the Holy Compound. And in 2000, even as vigorous efforts were being exerted to advance the peace process by the United States administration of President Bill Clinton, it was under the watch of then Prime Minister Ehud Barak that opposition leader Ariel Sharon was permitted to enter Al-Haram Al-Sharif, which inflamed sensitivities and sparked widespread Palestinian protests, launching the intifada, and a violent Israeli response resulting in thousands of deaths and injuries as well as the imposition of severe and unlawful measures of collective punishment from which the Palestinian civilian population continues to suffer to this very day.

Moreover, we have repeatedly witnessed the escalation of Israeli colonization activities throughout all stages of the peace process over the past 16 years, in total contradiction to the goal of the peace process and in total defiance of the international will and consensus rejecting Israeli settlement activities and calling for their complete cessation. It is without doubt that such continuing illegal Israeli actions in the Occupied Palestinian Territory, particularly in and around Occupied East Jerusalem, have time and again obstructed peace efforts and called into question Israel's credibility as a peace partner and the viability of the process itself.

At this critical juncture, there is a renewed and overwhelming international rallying of support to restart final status negotiations between Palestinians and Israelis towards bringing a definitive end to the Israeli occupation that began in 1967, establishing a viable, contiguous, and sovereign Palestinian state, and hence achieving a just and lasting peace in the region. This was clearly evident during the general debate of the General Assembly, including, inter alia, in the pronouncements of United States President Barack Obama, and the Palestinian leadership, in line with its principled commitment to a peaceful resolution of the conflict, welcoming this international support.

However, the general debate also exposed the other part of the stalled peace equation: the clear determination of the current Israeli government to persist in its intransigence and obstruct any meaningful effort to reach peace. This was evident in the speech made by Israel's Prime Minister, who reaffirmed his government's disdain for the United Nations and the resolutions it has adopted on the question of Palestine on the basis of international law and principles. This disregard is also painfully evident on the ground, especially in Occupied East Jerusalem, where settlement activities persist, settlers are being transferred daily, and Palestinian civilians continue to be forcefully evicted from their homes, and their socio-economic life and connections to their brethren in the rest of the Occupied Palestinian Territory choked by the severe restrictions imposed by the occupying Power. Indeed, as Israeli bulldozers and occupation authorities continue to create new colonial facts on the ground in the Occupied Palestinian Territory, including East Jerusalem, the Israeli government is also trying to provoke violence and tension in order to buy time to perpetrate yet more violations of international law and commitments. This requires immediate attention and redress.

The international community cannot stand idly by as Israel, the occupying Power, persists in illegal and aggressive actions that will only serve to inflame tensions and instability and further conflict. Instead, the international community, including the Security Council, must exert the necessary efforts to uphold its responsibilities and legal obligations to protect and enforce international law. We must stand true to our agreed principles and defend international law from being turned into hollow words and empty promises by the intransigent behaviour of those who continue to act as States above the law.

We thus appeal for urgent action to quickly and decisively prevent the situation from further escalation and assist in promoting the appropriate environment, one characterized by respect for international law, for the resumption of accelerated peace negotiations for the achievement of the two-State solution on the basis of the 1967 borders, in accordance with the relevant Security Council resolutions, the principle of land for peace, the Arab Peace Initiative and the Roadmap.

This letter is in follow-up to our previous 343 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 10 September 2009 (A/ES-10/461-S/2009/453), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.